

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Conf. No.: 5800
TSUSAKI, K.)	Examiner:
Appln. No.: 09/986,682)	Washington, D.C.
Filed: November 9, 2001)	January 25, 2002
For: POLYPEPTIDE HAVING BETA- FRUCTOFURANOSIDASE ACTIVITY)	Atty.Docket: TSUSAKI=2B

RESPONSE TO NOTICE TO COMPLY WITH
SEQUENCE LISTING REQUIREMENTS

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to Comply dated December 6, 2001, and prior to the examination of the above-described application, please amend the present application as follows:

IN THE SPECIFICATION

Please replace paragraph 0050 beginning at line 1 of page 20 with the following rewritten paragraph:

--The resultant transformant was inoculated onto an agar plate (pH 7.0) containing 50 µg/ml of 5-bromo-4-chloro-3-indolyl-β-galactoside, and cultured at 37°C for 18 hours, followed by fixing about 2,000 colonies formed on the agar plate upon "HYBOND-H+", a nylon film commercialized by Amersham Corp., Div., Amersham International, Arlington Heights, USA. Based on the amino acids sequence of Asp-Tyr-Lys-Glu-Asp-Tyr-Gly-Phe-Ala located at amino acids 5-13 in SEQ ID NO:3, an

oligonucleotide with a nucleotide sequence of 5'-
GAYTAYAARGARGAYTAYGGNTTYGC-3' (SEQ ID NO:6) was chemically
synthesized and labelled with ³²P. The resultant as a probe
was hybridized with the colonies of transformants fixed on the
nylon film, followed by selecting a transformant which showed
a strong hybridization and named "BBF4".--

REMARKS

Responsive to the Notice to Comply, attached hereto is a substitute 3 1/2" disk containing the "Sequence Listing" in computer readable form in accordance with 37 C.F.R. §1.821(e).

Applicants have amended the specification to insert reference to SEQ ID NO:6, as supported in the present specification.

The computer readable form in this application no. 09/986,682 is identical with that filed on January 20, 1998, in grandparent application no. 08/870,827, filed June 6, 1997, now USP 5,962,297. The attached substitute computer readable form is identical to that filed in grandparent application 08/870,827 and is submitted as courtesy copy only. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the instant application. A paper copy of the Sequence Listing was previously included in the originally-filed specification of the instant application.

Because Applicants are relying on the CRF filed in the grandparent case, which was filed under the pre-1998 sequence listing rules, the paper copy as filed in the instant application, which corresponds to the parental CRF, also necessarily conforms to the pre-1998 rules.

I hereby state, in accordance with 37 C.F.R. §1.821(f), that the content of the paper copy sequence listing of record in the instant application and the attached computer readable copy of the sequence listing are believed to be the same.

I hereby also state, in accordance with 37 C.F.R. §1.821(g), that the submission is not believed to include new matter.

Attached hereto is a marked-up version of the changes made to the specification by the current amendment. The attached page is captioned "Version with markings to show changes made".

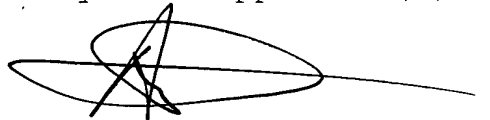
Applicants submit that the present application contains patentable subject matter and therefore urge the examiner to pass the case to issuance.

If the examiner has any questions or comments concerning the above described application, the examiner is urged to contact the undersigned at the phone number below.

Respectfully submitted,

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By



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